

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

DAVID EDWARD TOLAND,)

Defendant.)

CASE NO. CR04-546 JLR

DETENTION ORDER

Offense charged: False Statement in Connection with Acquisition of Firearm, in violation of Title 18, U.S.C., Sections 922(a)(6) and 924(a)(2).

Date of Detention Hearing: May 26, 2005.

The Court, having conducted an uncontested detention hearing pursuant to Title 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which the defendant can meet will reasonably assure the appearance of the defendant as required and the safety of any other person and the community. The Government was represented by Joanne Maida. The defendant was represented by Kiana Sloan-Hillier.

The Government moved for detention, to which the defendant stipulated.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

- (1) The defendant represents a risk of non-appearance as his ties to the Western District of Washington are unknown; his background and family history are unknown; his residence and employment history are unknown; and he is currently in custody serving a sentence in California.
- (2) Due to the nature and seriousness of the crime alleged, in combination

1 with the defendant's criminal history and unknown background, release of
2 the defendant would pose a risk of danger to the community.

3 (3) The defendant stipulated to detention.

4 Thus, there is no condition or combination of conditions that would reasonably assure
5 future court appearances.

6
7 **It is therefore ORDERED:**

8 (1) Defendant shall be detained pending trial and committed to the custody of
9 the Attorney General for confinement in a correctional facility separate, to
10 the extent practicable, from persons awaiting or serving sentences, or being
11 held in custody pending appeal;

12 (2) Defendant shall be afforded reasonable opportunity for private
13 consultation with counsel;

14 (3) On order of a court of the United States or on request of an attorney for the
15 Government, the person in charge of the correctional facility in which
16 Defendant is confined shall deliver the defendant to a United States
17 Marshal for the purpose of an appearance in connection with a court
18 proceeding; and

19 (4) The clerk shall direct copies of this order to counsel for the United States,
20 to counsel for the defendant, to the United States Marshal, and to the
21 United States Pretrial Services Officer.

22 DATED this 27th day of May, 2005.

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25 MONICA J. BENTON
26 United States Magistrate Judge